

IMMIGRATION LAW RELATIVE TO ALIEN SEAMEN AND STOWAWAYS.

MARCH 16, 1912.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

H. S. Congress House
Mr. BURNETT, from the Committee on Immigration and Naturalization, submitted the following

REPORT.

[To accompany H. R. 21489.]

The Committee on Immigration and Naturalization, to whom was referred House bill 21489, report the following:

The bill agreed upon, with some few committee amendments, is the result of conferences between the representatives of the steamship companies, the Department of Commerce and Labor, the committee, and an extended hearing. The bill reported meets with the approval of the Department of Commerce and Labor, and is unanimously reported by the committee.

The necessity for this bill arises from the fact that the United States Supreme Court in the Taylor case (207 U. S., 120) decided that alien seamen who left their ships were not amenable to the provisions of the immigration law. The result of this decision has been that during the fiscal year ending June 30, 1910, 9,816 deserting alien seamen were reported by the various steamship lines, and during the fiscal year ending June 30, 1911, 6,594. Doubtless there were many more.

The Commissioner General of Immigration, in his report for the fiscal year ending June 30, 1911, has this to say:

Table XX is a compilation of figures covering alien seamen reported by masters of vessels as having deserted. They are known to be very inaccurate. For the past three years it has been impossible to obtain from the steamship lines accurate information concerning deserters. The decision of the Supreme Court in the Taylor case (207 U. S., 120), and the fact that a suit in which it was attempted to enforce the payment of head tax on account of deserting seamen was decided adversely to the Government, tend to encourage noncompliance with the provisions of rule 22 of the immigration regulations. The very serious nature of this matter is illustrated by the wholesale violations of law discovered in the case of the Hellenic Transatlantic Steam Navigation

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Co. In that case the immigration officers at New York, acting in conjunction with the United States attorney's office in Brooklyn, obtained very substantial results both as regards fines and imprisonments in connection with an investigation of the unlawful bringing to the port and landing of aliens placed upon the articles of the ship as employees, as set forth in the report of the commissioner at New York (p. 149).

In addition to the showing of this table, it should be stated that during the year over 30,000 Chinese seamen have come into the ports of the United States on merchant vessels, and many desertions have occurred. Moreover, Table 21 shows 528 stowaways brought to United States ports during the past year as compared with 474 for the preceding year. A bill (H. R. 32441) was introduced at the last session of Congress which, if enacted into law, will go a long way toward the abatement of these grave evils. * * *

The investigations of the Immigration Commission disclose that there is a practice of articling seamen simply for the voyage from a foreign country to the United States, and that men so articulated are in many instances aliens who would be deported if coming as passengers. Under the decision in the Taylor case the immigration law does not apply to such aliens. This fact, and the fact that the number of desertions is increasing, creates a serious situation which requires legislation.

Closely related with this subject is that of stowaways, whose treatment has been a disputed question for years. The bill provides for their exclusion, but permits their admission under the discretion of the Secretary of Commerce and Labor. The committee deem both the exclusion and the exception wise—the exclusion, because in a majority of cases stowaways are liable to become public charges; and the exception, because in some cases they are political refugees, and there should be discretion permitting their admission.

The number of deserting seamen and alien stowaways with ports of arrival is shown in the annexed table.

Legislation of this character has the unanimous recommendation of the Immigrant Commission.

[Tables from the annual report of the Commissioner General of Immigration for the fiscal year ended June 30, 1910.]

Deserting alien seamen, fiscal year ended June 30, 1910, by ports.

New York, N. Y.....	5, 116	Norfolk, Va.....	210
Boston, Mass.....	405	Pascagoula, Miss.....	85
Baltimore, Md.....	167	Wilmington, N. C.....	39
Philadelphia, Pa.....	1, 077	Charleston, S. C.....	74
San Francisco, Cal.....	403	Providence, R. I.....	5
San Juan, P. R.....	1	Pensacola, Fla.....	160
Brunswick, Ga.....	26	Portland, Me.....	16
Fernandina, Fla.....	10	Portland, Oreg.....	173
Galveston, Tex.....	304	San Diego, Cal.....	97
Gloucester, Mass.....	8	Savannah, Ga.....	97
Gulfport, Miss.....	260	Seattle, Wash.....	285
Jacksonville, Fla.....	40	Tampa, Fla.....	62
Mobile, Ala.....	133	Honolulu, Hawaii.....	47
Eureka, Cal.....	22	Alaska.....	1
New Bedford, Mass.....	24		
New Orleans, La.....	439	Total.....	9, 816

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[Tables from the annual report of the Commissioner General of Immigration for the fiscal year ended June 30, 1911.]

Deserted alien seamen, fiscal year ended June 30, 1911, by ports.

New York, N. Y.....	1,723	Portland, Oreg.....	238
Boston, Mass.....	483	Seattle, Wash.....	277
Philadelphia, Pa.....	1,144	Gulfport, Miss.....	275
Baltimore, Md.....	163	Charleston, S. C.....	139
Portland, Me.....	14	Pascagoula, Miss.....	106
New Bedford, Mass.....	6	Newport News, Va.....	92
Norfolk, Va.....	91	Los Angeles, Cal.....	50
Savannah, Ga.....	147	Port Arthur, Tex.....	43
Key West, Fla.....	2	Brunswick, Ga.....	22
Tampa, Fla.....	63	Wilmington, N. C.....	18
Pensacola, Fla.....	217	Eureka, Cal.....	14
Mobile, Ala.....	234	Jacksonville, Fla.....	34
New Orleans, La.....	264	Fernandina, Fla.....	9
Galveston, Tex.....	294		
San Diego, Cal.....	18	Total.....	6,594
San Francisco, Cal.....	414		

This makes the total number of desertions of record for the two fiscal years ended June 30, 1910, and June 30, 1911, 16,410.

[Tables from the annual report of the Commissioner General of Immigration for the fiscal year ended June 30, 1910.]

Alien stowaways found on board vessels arriving at ports of the United States, fiscal year ended June 30, 1910, by ports.

New York, N. Y.....	261	Wilmington, N. C.....	1
Boston, Mass.....	40	San Diego, Cal.....	9
Baltimore, Md.....	40	New Orleans, La.....	13
Philadelphia, Pa.....	41	Norfolk, Va.....	1
San Francisco, Cal.....	20	Portland, Me.....	1
Galveston, Tex.....	7	Savannah, Ga.....	3
Gulfport, Miss.....	2	Seattle, Wash.....	23
Mobile, Ala.....	5	Honolulu, Hawaii.....	3
Tampa, Fla.....	3		
Fernandina, Fla.....	1	Total.....	474

[Tables from the annual report of the Commissioner General of Immigration for the fiscal year ended June 30, 1911.]

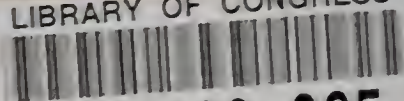
Alien stowaways found on board vessels arriving at ports of the United States, fiscal year ended June 30, 1911, by ports.

New York, N. Y.....	274	San Diego, Cal.....	3
Boston, Mass.....	14	San Francisco, Cal.....	44
Philadelphia, Pa.....	49	Portland, Oreg.....	27
Baltimore, Md.....	27	Seattle, Wash.....	32
Portland, Me.....	3	Gulfport, Miss.....	2
Norfolk, Va.....	2	Newport News, Va.....	10
Savannah, Ga.....	1	Los Angeles, Cal.....	2
Key West, Fla.....	1	Port Arthur, Tex.....	1
Mobile, Ala.....	6	Fernandina, Fla.....	4
New Orleans, La.....	11		
Galveston, Tex.....	15	Total.....	528

Thus the 528 stowaways brought to the United States ports during the past fiscal year, as compared with the 474 for the preceding year, shows an increase of 54 during the fiscal year ended June 30, 1911, over the fiscal year ended June 30, 1910, with a total number for the two years of 1,002.

The committee believes that the bill provides an effective remedy for the defects in the existing law in regard to deserting alien seamen and stowaways, and unanimously recommends its passage.

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